

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
Implementation of Section 621(a)(1) of the Cable)	MB Docket No. 05-311
Communications Policy Act of 1984 as Amended)	
by the Cable Television Consumer Protection and)	
Competition Act of 1992)	

REPLY COMMENTS OF NEXT CENTURY CITIES

Next Century Cities
1342 Florida Avenue NW
Washington, DC 20009

December 14, 2018

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Next Century Cities is a 501(c)(3) membership organization that supports communities and their elected leaders, including mayors and other municipal officials, as they seek to ensure that all residents have access to fast, affordable, and reliable broadband internet service. NCC represents 190 diverse member communities across the country.

Next Century Cities fully agrees with and endorses the comments of the National Association of Telecommunications Officers and Advisors. NCC does not agree with the tentative conclusions in the Further Notice of Proposed Rulemaking in the above-referenced docket, and we urge the Commission to reconsider its tentative conclusions.

In particular, Next Century Cities is concerned by the FNPRM's significant negative impacts on local governments. The proposed reductions in franchise fees suggested in the FNPRM would reduce or eliminate rent received by LFAs, jeopardize PEG stations and institutional networks, and diminish cable franchise provisions that address community needs. Cable franchise requirements are not franchise fees, and considering them as such would ignore the goals of cable franchise agreements while greatly reducing community benefits and compensation for public assets. The language in the Cable Act makes it clear that contributions to PEG channels were intended for public benefit, and not as a fee.

In addition, the proposed mixed use rule to preempt local authority over cable operators' non-cable services represents a notable departure from the Commission's original interpretation of the Cable Act, and would create an unbalanced regulatory environment.

Next Century Cities believes that it is in the best interest of local communities to reject the changes outlined in the FNPRM.

Respectfully submitted,

Deb Socia
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